

FILED BY  D.C.

05 JUL 22 AM 10:33

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISIONFILED BY Cas D.C.

2005 JUL 20 PM 3:09

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHISTHOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

Criminal No. 02-20165-DA

ALVIN IRWIN MOSS, ET AL )

Defendants. )

MOTION OF THE UNITED STATES  
FOR EXTENSION OF TIME IN WHICH TO FILE  
EXHIBIT LIST

Comes now the United States of America, by and through the United States Attorney for the Western District of Tennessee and his duly authorized Assistant, Dan L. Newsom, and would respectfully state to this Honorable Court as follows:

1. The current trial date in this matter is set for September 6, 2005. The Court has instructed the Government to provide Defendants with a list of witnesses within 30 days of trial (Presently August 7, 2005). The Court has also instructed the Government to provide defendants with an exhibit list within 45 days of trial (Presently July 21, 2005). In order to provide a witness list it is crucial that the case agent (S/A Pam Vanderburg) assist the prosecutor in that she is most knowledgeable about all potential evidence. As to the exhibit list, in attempting to fully comply with the Court's instruction, the Prosecutor

**MOTION GRANTED**This document entered on the docket sheet in compliance with Rule 55 and/or 32(b) FRCP on 7/22/05DATE: 7-22-2005  
**BERNICE BOUIE DONALD**  
U.S. DISTRICT JUDGE

has been to the critical care unit of the Baptist East hospital attempting to compile the exhibit list in this matter with S/A Vanderburg's assistance. As the Court is aware from a Motion filed yesterday, S/A Pam Vanderburg has been at said hospital here in Memphis for the past two days. Her father underwent major surgery two days ago, and is scheduled for two additional major surgeries, one today and one tomorrow or Friday.

2. S/A Vanderburg's assistance is crucial to compiling the exhibit list, which would necessarily include her physical review of many items of potential evidence. Because of these circumstances, which were not foreseeable to the Government, this cannot be accomplished by tomorrow, July 21, 2005.

**PREMISES CONSIDERED** the United States hereby moves this Honorable Court to allow the Government to provide Defendants with the exhibit list 30 days prior to the trial of this cause (August 7, 2005 is 30 days from the current trial date).

Respectfully submitted,

TERRELL L. HARRIS  
United States Attorney

By:

  
DAN L. NEWSOM  
Senior Litigation Counsel

### **CERTIFICATE OF SERVICE**

I, Dan L. Newsom, Assistant United States Attorney, do hereby certify that a copy of the foregoing Response was forwarded, via Fax transmission, to each of the below-named Counsel, representing each of the below-named Defendants:

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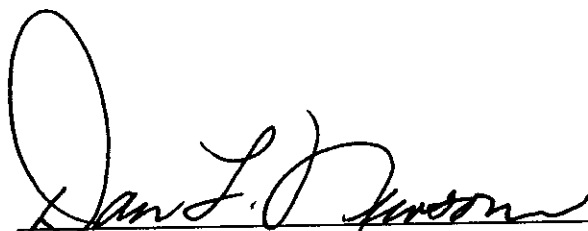
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This 20<sup>th</sup> Day of July, 2005.



**DAN L. NEWSOM**  
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Senior Litigation Counsel



## Notice of Distribution

This notice confirms a copy of the document docketed as number 567 in case 2:02-CR-20165 was distributed by fax, mail, or direct printing on July 25, 2005 to the parties listed.

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